

Applicant: Crye, et al.
Application No.: 10/061,950
In response to the Office Action dated March 11, 2004

Remarks

Claims 1–31 remain pending in the application. In the Office Action dated March 11, 2004, claims 30 and 31 were allowed, claims 4, 5, 7–9, 12, 16, 17, 19–21, 24, 25, 27 and 29 were indicated as allowable if rewritten in independent form. Claim 21 was objected to for improperly depending from a later claim. Claims 1–3, 6, 10, 13–15, 18, 23, and 26 were rejected under 35 U.S.C. 102 over *Wennberg et al.* Claims 11, 22, and 28 were rejected under 35 U.S.C. 103 over the discloses of *Wennberg et al.*

The courtesy extended to applicant's counsel in the telephone interview conducted April 6, 2004, is acknowledged with appreciation. At the telephone interviews draft amendments to the rejected independent claims were presented. It was pointed out that structure of *Wennberg et al.* has sheets which are connected together with hinges which all pivot about parallel axes. In distinction to this, the invention of the amended claims has a wing or wings which extend about a wing axis from the center segment, and are biased about that axis, the wing axis extending between and being perpendicular to both the first axis and the second axis. After the telephone interview sketches illustrating this contrasting arrangement were submitted by facsimile. Similar drawings accompany this Response.

Claims 4, 5, 7, 8, 12, 16, 17, 19, 20, 24, 25, 27, and 29 have been rewritten in independent form. Claims 9 and 21 are dependent on the newly independent claims. Claim 21 has been made dependent on claim 20.

Claims 1, 13, and 23 have been amended, as proposed in the interview, to clarify that the wing or wings extend about a wing axis from the center segment, and are biased about that axis, the wing axis extending between and being perpendicular to both the first axis and the second axis. This structural difference not only strongly distinguishes over the applied art, it results in a device which functions in a very different fashion. It will be noted that the claimed invention, once erected, is not readily returned to a collapsed state, even if a load is removed from the top member, whereas the *Wennberg et al.* device, as noted in col. 2, lines 4–8, requires that “[i]n

Applicant: Crye, et al.
Application No.: 10/061,950
In response to the Office Action dated March 11, 2004

order to ensure the maintenance of the arrangement in expanded condition, a straight, stiff rod or band-like means can be applied along the longides parallel to the compression direction.” Thus the *Wennberg et al.* device does not have wings which “resist the return of the structural member to the collapsed condition” in the fashion of the claimed invention. This attribute of the invention is best illustrated in FIG. 2, where the expanded structure is shown.

Applicant believes that no new matter has been added by this amendment.

Applicant submits that the claims, as amended, are in condition for allowance. Favorable action thereon is respectfully solicited.

Respectfully submitted,

David R. J. Stiennon, Reg. No. 33212
Attorney for Applicant
Stiennon & Stiennon
P.O. Box 1667
Madison, Wisconsin 53701-1667
(608) 250-4870
Amdt1.res/amdt